G. R. S. App F. IX-4]

1943.

File No. 1145-43

Serial Nos. 1-2

Previous References.

59.33.122 (Swamy
579.20-1-6.

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos.

Part B for December 1943.

SUBJECT.

Disposal of Badasi Lodge, belonging to Sri Kumaraksharam Swamy temple at Bodas with two lands.

R. 2997-9 dated 24.11.1943.

To The Special Commissioner Commercial Taluks Dy. Com. Hassan &c.

Sanctions to recommend

Bangalore
24.12.43.

[1] Letter No. P.1-C. 1694/43-44, dated the 25th September 1943 From the Muzrai Commissioner in Mysore.

Soliciting sanction, in the circumstances reported by the D.C. Hassan District, to the disposal of Dry S.Nos 34/2 and 35, 2 acres 21 guntas in extent and assessed at Rs 2/12/- in the aggregate, in Chikkabyadagere Village, Kasaba Hobli, Belur Taluk, and the building known as Bidara Lodge standing thereon which belong to Shri Channakeshava Swamy Temple at Belur.

(1) The lands now bearing S.Nos. 34/2 and 35 of Chikkabyadagere village, near Belur, were purchased by one Karedodda in the year 1908 (i.e., 30.11.1908) from Jani Begum, and the khatte of the land was registered in his name. On 31.1.1911 Karedodda gave a statement before Mr. B. Krishna Singh, the then Amildar of Belur Taluk that he had relinquished the above dry land (old S.No. 81) to the temple of Shri Channakeshavaswamy at Belur for its benefit.

(2) Mr. Krishna Singh replaced the huts already existing in the land (erected by his predecessor in office) by tiled structures now known as Bidara Lodge as his son Lall Singh came into the possession of the lands by way of transfer (through sale) from the original [illegible] Karedodda on 22.4.1913. The construction of the buildings were considered as unauthorised, although Mr. Krishna Singh held that he had obtained the permission of Mr. Metcalf, D.C. in the year 1913, to construct them. In May 1918 the Muzrai Commr. Govt. inspected the spot with the then D.C. (Mr. C. Venkatarao), and the latter ordered that as Karedodda had relinquished the land to the temple in 1911, subsequent transfers made by him were not valid and as Mr. Krishna Singh had erected the houses, he may be granted lease of the buildings and the lands for [illegible]

Re: the disposal of Kadaradoge and the surrounding premises belonging to Sri Channa Keshavaswamy Temple there

gutta of Rs.24/= per annum, as a special case, although according to the then existing orders, no lease could be ordinarily granted for more than 5 years. Mr. Krishna Singh however applied to Govt. to grant him lease in perpetuity, who at first refused to grant his request (Endorsement No 5647/Mwz-579-20-6, dated the 20th April 1922) and later on permitted him to live in the house till the end of days, on a rent of Rs.24/= or any other sum that may be fixed by the D.C. subject to the condition that he paid the municipal tax and retained the house in good order. (G.O.No 2949-50/Mwz.322-22-6, dated the 5th June 1923) as a personal concession to him.

(3) The party however offered to purchase the lands and the building, to be in possession of them, for some sentimental reasons, and Govt. ordered that they may be sold to him for Rs.1500/= and that he should also pay the arrears of rent from 1917-18 in addition to the price. (G.O.No.2059-60/Mwz 330-26-44, dated 11th May 1928). Subsequently, they directed that a sum of Rs 1000/= may be accepted, on the basis of the revaluation of the properties at Rs 800/=, and that as he had paid Rs.250/= and promised to pay Rs 250/= immediately after the issue of orders, the balance of Rs.500/= may be paid in two equal annual instalments, and in case of interest at 9% may be recovered from him if he defaulted. (G.O.No. 1380-81/Mwz. 256-28-2, dated 22nd January 1929). The matter was not set at rest. Mr. Krishna Singh pleaded his inability to pay the annual instalments, as he had been retired from service and wanted to pay the dues, in monthly instalments. By way of further concession, Govt. ordered that he may pay

G.O.No. 905-6/Mwz.124-31-2 Dated the 20th September 19..

Rs·25/= per mensem, which may be recovered from his pension. As Mr. Krishna Singh died on 21·1·1933. the undisbursed pension due to him was ordered to be adjusted towards his dues (G·O No·13-141/ Mwz-298-32-2, dated the 6th July 1933) and it was further ordered that the sum of Rs 525/- for recovered from the deceased may be treated as rent for the period of occupation and the properties resumed if the heirs do not pay up the balance. (G·O·No. 251-2/ Mwz-59-33-2, dated the 25th August 1933).

(4) In spite of the issue of many notices Lall Singh, Son of the deceased lessee, evaded payment of the balance for one reason or the other, and as he failed to vacate the house, action was taken to obtain possession of the properties by force. (under section 209 of the L-R-Code) on 18th December 1941. As the buildings were not repaired in time, it is reported that they are practically in ruins at present. The lands have been leased out for 5 years till the end of 1947-48.

(5) The local Vokkaliga Sangha people wanted to purchase the lands and the buildings for Rs·500/=, for constructing a Hostel for students. Another resident of Belur, one Athwath, has also prayed that the properties may be sold to him. The D·C. has inspected the spot and he recommends that the properties may be disposed of in public auction and adds that the question of refunding portion of the sum already recovered from the deceased occupant may be taken up for consideration, when his son Lall Singh applies for it.

(6) In the circumstances, the proposal of the D·C. supported by the M·C may perhaps be accepted.

Subd. 17-10-43

(7) The D.C.'s proposal as at (6) above, supported by the M.C may be approved and the Badami Lodge with the surrounding lands

may be ordered to be disposed of by public auction.

Dy. Secy) 23/10 34 25/10/43

(8) If the present sale proposed by the DC & supported by the MC brings in less than the amount due by the defaulter, other means of recovery have to be thought of. His liability will remain & has to be Enforced. Subject to this, the MC's proposal may be approved

Minister for Rev & Laws. 25/X/43 26/10

(9)

2/11 2/11 2/11

(11) Draft G.O. submitted (12) Draft for approval 3/11/43.

Dy. Secy) 7/11 52 13/11/43

(13) 13/11

(14) 15/11

Issued No.R.2937-9, Dated the 24th November 1943

To - The Mysore Commissioner with the Connected records

Compliance to Government

Deputy Commissioner, Hassan District.

Sanctions the disposal of the properties in question in public auction with the observation that the sale proceeds are less than the amount due from Mr. Lall Singh, his liability will remain and should be enforced.

K 1458

694/43-44
one file of Rev records
and three files of this office.

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE

Bangalore, 25th...September.....1943.

Disc. No. 115: 43-1

FROM Rajasevaprasakta
Seshadri, Esq.
The Muzrai Commissioner in Mysore,

To

Jafi Darashah, Esq., B.A.,
General Secretary to the Government
of Mysore, Bangalore.

GENERAL SECRETARIAT
27 SEP 1943

Sir,

Re. the disposal of Badari Lodge, belonging to Sri Channakeshava Swamy Temple at Belur, with two lands.

I have the honor to forward, herewith, the file of records received from the Deputy Commissioner, Hassan District, with his letter No. C.B. 41-42 dated 12th July 1943, enclosed herein, on the above subject.

27 SEP 1943

The above letter of the Deputy Commissioner, and his letter No. C.5156-38 dated 13th September 1939 addressed to me and enclosed in the above records (pp.231 and 232 of the file), explain fully, the facts of the case. They are, briefly, as follows.

The two Gifts of lands noted on the margin, and the Badari Lodge standing thereon, are the properties belonging to Sri Channakeshavaswami Temple at Belur.

Chikkabyadagere Village.

S.No.	Kind.	Extent. A. G.	Assessment.
34/2	Dry	1 31	Rs. 2- 0-0
55	Dry	0 30	" 0-12-0

On the recommendation of the then Muzrai Commissioner, Government, in their Order No.3059-60/Muz.30-36-24 dated 11th May 1928, (Copy enclosed in the records) ordered that the property consisting of the house (lodge) with its out-houses, might be sold to Mr. Krishna Singh, for a sum of Rs. 1500. On a further representation from Mr. Krishna Singh and after revaluation of the above properties, Government directed, in their Order No.1380-1/Muz.25-28-2 dated 22nd January 1929, that the above properties should be sold to him for Rs. 1000. Accordingly, they were sold to him. Mr. Krishna Singh, during his lifetime, paid only Rs. 525, and failed to pay the balance. The Deputy Commissioner's letter dated 13th September 1939, referred to above, explains as to how Mr. Krishna Singh and his son Mr. Jai Singh, defaulted in the payment of the balance. The local officers, thereupon, leased out the two lands for 5 years from 1939-40 for an annual rent of Rs. 10 to one Muddaiah

ity. The Deputy Commissioner was requested to give Mr. Lal Singh ore chance, by granting him some time for the payment of the balance o purchase money and also arrears of rent due from him, in respect of his house.

It is reported by the Deputy Commissioner that sufficient time, to pay up the balance of purchase money and also the rent, was given to Mr. al Singh; but, that he never availed himself of the opportunity given to him; and that, therefore, he was evicted from the house and the house was taken to the possession of Government on 18th December 1941.

Tavare Gowda and others, of Belur, petitioned to the Revenue Commissioner, on 10th January 1942, praying that the above lodge might be granted to them for locating the Vokkaligar Students' Home'. A report from the Deputy Commissioner was called for on the above petition. In reply, the Deputy Commissioner, now, states in his letter dated 12th July 1943, that there are some more offers for the lands and buildings, and that the Dharmadarsis have opined that they may be disposed of in open auction, for not not less than Rs.500. The Deputy Commissioner adds that he has inspected the spot; that the dari lodge is in a very ruined condition. He recommends that the buildings, with the two lands, may be disposed of in public auction.

In these circumstances, I request that sanction of Government may, kindly be accorded to the disposal of the above lodge with the lands noted above, in open auction. The question of refunding the amount of Rs.525 paid by the late Mr. Krishna Singh, after deduction of arrears of rent due, or forfeiting the same to Government may be considered later on, when Lal Singh puts forward a claim for the sale.

The previous files of this office, as detailed on the margin, are also transmitted, herewith, for reference and kind return.

1) .Dis.117/28-29
2) .Dis.44/30-34
3) Dis.183/39-40

I have the honor to be,

Sir,

Your most obedient servant,

M. V. Ramdhan.

Assistant Commissioner
for Inzral Commissioner.
(Absent from head uarters)

No.M.C.3354/41-42. (in duplicate)

Office of the Deputy Commissioner
Hassan District,
Dated Hassan, the 19th July 1941.

From

The Deputy Commissioner,
Hassan District.

To

The Special Commissioner in Mysore,
Bangalore.

With reference to your Official Memorandum No.M.C.321/41-42 dated ... requesting for report the petition of M.Javare Gowda and others of Belur town praying that the Sadari Lodge belonging to the Dharmadarsi Samaja at Belur may be granted to them for the Women's Educational Home, I have the honour to state that the full history of the case is explained in this office letter No. ... 155-38 dated 16-9-39 (a copy of which is enclosed in the file cover 321 and 39) addressed to you. As instructed in your ... No. ...is.193-39 dated 16-10-39 sufficient time to pay up the ... lease was given to Mr.Lal Singh S/o late Mr.Krishnasingh to pay up the balance of upset price viz., Rs.375/- but he never availed of the opportunity given to him and ... notice served on him ... -40 (Rs.745). ... Mr.Lalsingh ... evicted from the house and the house was ... by the Commissioner on 18-...-41. It is reported that the lands S.No. ... and 2 have been leased out to one Mr.Javare Gowda for a period of 5 years from 39-40 for an annual rental of Rs.10/- and that he has put up in the buildings as they are in a dangerous state of disrepair. The term of the lease of lands expires at the end of the current year viz., 43-44.

As regards the disposal of the lands with the buildings thereon in the Yakkali or Hosket, the Dharmadarsis have, in their resolution passed on 11-10-40 on a similar application granted to the Amildar, resolved that the lands with the houses may be disposed of in public auction for not less than Rs.500/-. Again on an application presented to them by one S. ... Smith, they have resolved on 23-6-41 that the properties may be sold to the applicant for a sum of Rs.500/-. Finally on another application

...ivision Officer, Tiruppur are herewith ...by the Sanitary Inspector, Avinashi. They have ... return. The pet... the properties mayma... bandiyoorady ... inconvenience. P... Officer (Mr.A.C.Khaleel) in his report dated 28-2-62 re... the disposal of this Badari lodge with the two S.Nos. may ... the Valparai Hostel.

I have the honor to be,

Sir,

Your most obedient servant,

(V.Ramalingam)
Deputy Commissioner,
Western District.

I ... the ... the spot. The Badari lodge is in a very ... condition. ... with the temple committee and the Amildar ... dated 22-11-62 from late Mr.Rangaraswamy ... (Vide page 246)

... the building with the lands may be disposed of in ... manner.

... dated ... with ... No.C 460-'1 ... ted ... Division Officer, Tiruppur are herewith enclosed ... personal and ... return. The petitioner ... reply is enclosed on P 255 in ... file.

(Vide ... page)

I have the honor to be,

Sir,

Your most obedient servant,

... Deputy Commissioner,
... District.

presented to them by the name Mahamatha, they have resolved that the properties may be disposed of in open sale. The Sub Division Officer (Mr.V.S.Khaleel) in his report dated 30-9-43 recommends the disposal of this Bandari lodge with the two S.Nos. to the Vakkaligara Hostel.

I have inspected the spot. The Bandari lodge is in a very ruined condition. Agreeing with the temple committee and the Amildar (vide report dated 28-11-40 from late Mr.Bangaraswamy.P.246) I recommend that the building with the lands may be disposed of in public auction.

The connected records ending with MemoNo.C.460-41 dated 21-12-42 from the Sub Division Officer, Saklespur are herewith enclosed for favour of perusal and obliging return. The petition received with your memo under reply is enclosed on P 255 in the file.

I have the honor to be,
Sir,
Your most obedient servant,

For Deputy Commissioner,
Hassan District

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

READ:-

Government Order No.2949-50/Muz.322-22-6, dated the 5th June 1923, directing that Mr. Krishna Singh, retired Amildar, Belur, be subject to certain conditions, permitted to live during his lifetime, in the building named "Bhadra Lodge" constructed by him in Old Survey No.31 (Re-Survey Nos.34/2 and 35) of Chikkabyadagere Village, Kasaba Hobli, Belur Taluk, and subsequently gifted to the Temple of Shri Channakeshava Swamy at Belur.

2.Government Order No.2059-60/Muz.330-26-44, dated the 11th May 1928, directing that "Bhadra Lodge" and the appurtenant lands be sold to Mr. Krishna Singh for Rs.1,500/- and that the sale proceeds together with the arrears of rent due from him from 1917-18 up-to-date be kept in Government Savings Bank in favour of the above Temple as a puduvat deposit.

3.Governmant Order No.1380-81/ Muz.256-28-2, dated the 22nd January 1929, directing that on the basis of the revaluation of the properties referred to in the Government Orders read above --as being worth only Rs.800/- -- a sum of Rs.1,000/- be accepted from Mr. Krishna Singh in full satisfaction of his dues and that as he had already paid Rs.250/- and promised to pay an equal sum immediately after the issue of orders, the balance of Rs.500/- be recovered from him in two equal annual instalments subject to the levy of interest at 9% if he defaulted.

4.Government Order No.905-6/ Muz.124-31-2, dated the 30th September 1931, according sanction to the recovery of the amount due from Mr. Krishna Singh, out of his pension in monthly instalments of Rs.25/-.

5.Government Order No. 13-14/ Muz.298-32-2, dated the 6th July 1933, authorising the Comptroller to adjust the sum of Rs.33-14-0, due to Mr. Krishna Singh as pension, towards the temple dues, consequent on his death on the21st January 1933.

6.Government Order No.251-52/ Muz.59-33-2, dated the 25th August 1933, directing inter alia, that the amount of Rs.525/- so far paid by the deceased towards the price of the properties, be treated as the rent of the building for the period of occupation, and that action be taken to resume the properties to the Temple, if the heirs of the deceased fail even after the issue of a notice, to pay the balance of arrears due within the time specified in the notice.

7.Letter No.P.1-C.1694/43-44, dated the 25th September 1943, from the Muzrai Commissioner in Mysore, soliciting sanction to the disposal of the properties in question, in public auction.

O R D E R N O. R.2987-9/ Muz.115-43-2,

BANGALORE, DATED THE 24th NOVEMBER 1943.

The Deputy Commissioner, Hassan District, reports that in spite of the issue of several notices to Mr. Lall Singh, son of the deceased, in pursuance of the Government Order dated the 25th August 1933 read above, he evaded payment of the balance and failed

failed to vacate the building and that therefore, action was taken to evict him, and the building and the surrounding marginally noted dry lands were resumed on the 18th December 1941.

Sl. No.	Survey No.	Area. A.- G.	Assessment R. A. P.
1.	34/2	1- 31	2 0 0
2.	35	0- 30	0 12 0
	Total:-	2- 21	2 12 0

As the local Vokkaliga Sangha have expressed a desire to purchase the building and the lands for Rs.500/-, with a view to construct a Hostel for their students, and as another resident of Belur also wants to purchase the properties, the Deputy Commissioner has inspected them and agreeing with the Dharmadarshis of the Temple and the local Officers, proposes that the building which is in a dilapidated condition and the two Survey Numbers which have been leased out till the end of 1943-44, may be disposed of in public auction. The Muzrai Commissioner supports the above proposal and adds that the question of refunding any portion of Rs.525/- paid by the deceased, after adjusting the balance of arrears due or of forfeiting the same may be considered when Mr. Lall Singh puts forth a claim.

(2). Government are pleased to accord sanction to the disposal of the above properties in public auction, with the observation that if the sale proceeds are less than the amount due from Mr. Lall Singh, his liability will remain and should be enforced.

(DRAFT)

For Deputy Secretary to Government.

To:- The Muzrai Commissioner in Mysore, with the connected records.
The Comptroller to Government.
The Deputy Commissioner, Hassan District.

S. App. F VI—G. 2]

BJECT..... ...Disposal of Bhadra lodge and the surrounding lands at Chikkabyadigere ..... Village near Belur belonging to Shri Channa Keshava Swamy Temple there ....

Diary No. of letter replied to ..... 1458/R ....

Section Miscl.

File No. 115-43

Serial No. 2

General and Revenue Secretariat

(Misc Section)

the 10th November 1943.

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 24-11-43. 19 43

Signed by Mr. S.K.V. Iyer

Read— Govt Order No 2949-50/Misc. 322-22-6 dated the 5th June 1923, directing that Mr. Krishna Singh retired Amildar, Belur, subject to certain conditions ~~might be~~, permitted to live during his life-time, in the building named "Bhadra Lodge" constructed by him in Old S.No 31 (Re-S.Nos. 34/2 and 35) of Chikkabyadigere Village, Kasaba Hobli, Belur Taluk, and subsequently gifted at Belur to the Temple of Shri Channakeshavaswamy ~~Temple~~.

(2) Govt. Order No 2059-60/Misc. 330-26-44 dated the 11th May 1928, directing that "Bhadra Lodge" and the appurtenant lands be sold to Mr Krishna Singh, for Rs 1,500/- and that the sale proceeds together with the arrears of rent due from him for 1914-15 ~~and the subsequent~~ to date period be kept in Govt Savings Bank in favour of the above Temple as a pudivat deposit ~~Order thereon—No.~~

(3) Govt Order No 1380-81/Misc 256-28-2, dated the 22nd January 1929, directing that on the basis of the revaluation of the properties referred to in the Govt orders read above — as being worth only Rs 800/- — a sum of Rs 1,000/- be accepted from Mr Krishna Singh in full satisfaction of his dues and that as he had already paid Rs 250/- and promised to pay an equal sum immediately after the issue of orders, the balance of Rs 500/- be recovered from him in two equal annual instalments subject to the levy of interest at 9% if he defaulted

(4) Govt. Order No. 3905-6/Misc. 124-31-2 dated the 30th September 1931, according sanction to the

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette, Kannada Part?

in monthly instalments of Rs.25/=.

(5) Govt. Order No 13-14 / Mus. 298-32-2, dated the 6th July 1933 authorising the Comptroller to adjust the sum of Rs. 33-14-0, due to Mr. Krishnasingh as pension, towards the temple dues, consequent on his death on the 31st January 1933.

(6). Govt Order No 251-2/ Mus. 59-33-2, dated the 25th August 1933, directing inter alia, that the amount of Rs 525/= so far paid by the deceased towards the price of the properties, be treated as the rent of the building for the period of occupation, and that action be taken to resume the properties to the temple, if the heirs of the deceased fail even after the issue of a notice, to pay the balance of arrears due within the time specified in the notice.

(7) Letter No P1-C-1694/43-44, dated the 25th September 1943, from the Muzrai Commissioner in Mysore, soliciting sanction to the disposal of the properties in question, in public auction.

ORDER No R. 2987-9/ Dated. 24th November 1943.

Read

The Deputy Commissioner, Hassan District, reports that inspite of the issue of several notices to Lall Singh, son of the deceased, in pursuance of the G.O dated 25th ~~August 1933~~ read above, he evaded payment of the balance and failed to vacate the building and that therefore, action was taken ~~under Section 320 of the I.P. Code~~ to evict him, and the building and the surrounding marginally noted lands were resumed on the 18th December 1941. As the local Vokkaliga Sangha have expressed a desire to purchase the building and the lands for Rs.500/=, with a view to construct a Hostel for their students, and as another resident of Belur also wants to purchase the properties, the A.C. has inspected them and agreeing with the Dharmadarshis of the Temple and the local officers proposes that the building which is in a dilapidated condition and the two S.Nos. which have been leased out till the end of 1943-44, may be disposed of in public auction. The M.C. supports the above proposal and adds that the question of refunding any portion of Rs.525/= paid by the deceased, after adjusting the balance of arrears due or of forfeiting the same may be considered when Lall Singh puts forth a claim.

Sl. No.	S. No.	Area. A G	Assessment. R A P
(i)	34/2.	1-31	2-0-0
(ii)	35	0-30	0-12-0
	Total:-	2-21	2-12-0

List of Enclosures

Copied by

Examined by

2. Govt. are pleased to accord sanction to the disposal of the above properties in public auction, with the observation that if the sale proceeds are less than the amount due from Lall Singh his liability will remain and should be enforced.

WD 03696—GPB—30,000—2-2-40

Now 12/11

~~By Secy.~~ By. Secy. to Govt.

To - The M. C. in Mysore, with the Commissioner records
D.C., Hassan District.
Comptroller to Govt.